UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1994/5
30 June 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Item 12 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Rape and abuse of women in the territory of the former Yugoslavia

Report of the Secretary-General

CONTENTS

	Paragraphs	Page
Introduction	1 - 3	3
I. THE RESPONSE OF THE UNITED NATIONS SYSTEM	4 - 45	4
A. Negotiations for an end to the conflicts in Bosnia and Herzegovina	4 - 7	4
B. The Special Rapporteur	8 - 13	4
C. Establishment of an international war crimes tribunal	14 - 17	6
D. The Commission of Experts	18	6
E. Commission on the Status of Women	19	6
F. Committee on the Elimination of Discrimination against Women	20 - 22	7
G. United Nations Children's Fund	23 - 32	7

CONTENTS (continued)

		Paragraphs	Page
	H. United Nations High Commissioner for Refugees	33 - 41	9
	I. United Nations Educational, Scientific and Cultural Organization	42 - 44	11
	J. World Health Organization	45	12
II.	INFORMATION RECEIVED REGARDING THE ACTIVITIES OF NON-UNITED NATIONS ACTORS	46 - 54	12
	A. The International Committee of the Red Cross	46 - 50	12
	B. International Federation of Red Cross and Red Crescent Societies	51 - 54	13
III.	CONCLUDING REMARKS	55 - 61	14

Introduction

1. Rape of women, including minors, has been increasingly documented as an outrageous practice occurring on a large scale during the conflicts in Croatia and in Bosnia and Herzegovina. Such practices are being carried out in the context of ethnic cleansing and with complete disregard for the rights of the individual human being. It is only one of a number of unspeakable abuses, cruelties, degradations and losses being inflicted upon the civilian population in the course of the conflicts in the former Yugoslavia.

2. At its forty-ninth session, the Commission on Human Rights adopted resolution 1993/8 by which it strongly condemned the abhorrent practice of rape and abuse of women and children in the former Yugoslavia. The resolution:

> "...
>
> "3. "Demands that those involved immediately cease these outrageous acts, which are in gross violation of international humanitarian law, including the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, and take immediate action to ensure the enjoyment of human rights and fundamental freedoms in accordance with their obligations under these instruments and other applicable international human rights instruments;
>
> "4. Urges all States Members of the United Nations to take joint and separate action, in cooperation with the United Nations, to bring about an end to this despicable practice;
>
> "5. Reaffirms that all persons who perpetrate or authorize crimes against humanity and other violations of international humanitarian law are individually responsible for those violations, and that those in positions of authority who have failed adequately to ensure that persons under their control comply with the relevant international instruments are accountable along with the perpetrators;
>
> "6. Urges States Members of the United Nations to exert every effort to bring to justice, in accordance with internationally recognized principles of due process, all those individuals directly or indirectly involved in these outrageous international crimes;
>
> "7. Welcomes in this context Security Council resolution 808 (1993) of 22 February 1993, by which the Council decided that an international tribunal should be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia;
>
> "...
>
> "9. Urges all States and all relevant intergovernmental and non-governmental organizations, including the United Nations Children's Fund, the United Nations High Commissioner for Refugees and the World Health Organization, to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation ..."

3. In paragraph 12, the Commission on Human Rights requested the Secretary-General to submit to its members a report on the implementation of the resolution not later than 30 June 1993. The present report is submitted to the Commission in accordance with this request and is based upon the information provided so far by agencies and organizations for this purpose.

I. THE RESPONSE OF THE UNITED NATIONS SYSTEM

A. Negotiations for an end to the conflicts in Bosnia and Herzegovina

4. Regrettably, since the adoption of resolution 1993/8 the conflict in Bosnia and Herzegovina has continued and, in some areas, even intensified. Up to the first week of May, the efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY) had been directed towards completing signature of the Vance-Owen Peace Plan consisting of constitutional principles, a military agreement, a provisional provincial map and an agreement on interim arrangements (S/25479). The signature on 2 May of the Peace Plan by the Bosnian Serb leader was annulled almost immediately by the Bosnian Serb assembly and a subsequent "referendum". One of the prerequisites for forging ahead with certain aspects of the implementation of the Vance-Owen Peace Plan was, in the absence of agreement by the Bosnian Serbs, the continuation of cooperation between the Muslims and the Croats. Unfortunately, in mid-May major fighting again broke out between them in central Bosnia and soon spread to areas of Herzegovina.

5. By the beginning of June, it had become clear that a new stage had been reached in the conflict in Bosnia and Herzegovina. At the invitation of the Co-Chairmen of the Steering Committee, a series of meetings was held involving members of the Presidency of the Republic of Bosnia and Herzegovina as well as Presidents Bulatovic, Milosevic, Tudjman and Izetbegovic. In the course of the discussions held in Geneva, the Bosnian Croats and the Bosnian Serbs proposed a revised version of the nine constitutional principles of the Vance-Owen Plan. In subsequent discussions with the Co-Chairmen, the two sides largely reconfirmed the military agreement and key portions of the agreement on interim arrangements, including arrangements for the protection of human rights.

6. The joint proposals of the two delegations were sent to members of the Presidency of Bosnia and Herzegovina including President Izetbegovic. The Co-Chairmen have not taken any position on the aforementioned proposals. At the end of June, the Presidency informed the Co-Chairmen of the Steering Committee that the Presidency was working on its own position for a negotiating process and expressed the desire to resume consultations with the Co-Chairmen.

7. Throughout this time the Co-Chairmen of the Steering Committee emphasized the need for all sides involved in the conflict to engage in a constructive negotiating process, particularly because of the grave deterioration in the situation on the ground in political, military and humanitarian terms.

B. The Special Rapporteur

8. In January 1993, the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia sent an international team of

experts to investigate the grave allegations of the widespread occurrence of rape in the conflicts in the former Yugoslavia. The report of the experts was annexed in extenso to the Special Rapporteur's report to the Commission on Human Rights in February 1993 (E/CN.4/1993/50). Many of the recommendations made by the Special Rapporteur have been echoed by the agencies concerned with the rehabilitation of victims of trauma and are reflected in the activities of those United Nations agencies outlined in this report.

9. The Special Rapporteur continues to place high priority on the question of the rape and abuse of women and children, as well as on the physical and mental rehabilitation of victims.

10. Since the forty-ninth session of the Commission on Human Rights the field operation of the Special Rapporteur has been consolidated and expanded, with five staff members of the Centre for Human Rights now based in Zagreb collecting and analysing information regarding Bosnia and Herzegovina and Croatia. The Special Rapporteur awaits the approval of the Federal Republic of Yugoslavia for the placing of field staff on its territory in order to gather reliable and comprehensive information regarding the situation of human rights there.

11. The field staff of the Special Rapporteur have made direct contact with local and international organizations working for the rehabilitation of victims of war trauma and in particular of rape. The Special Rapporteur will report further to the Commission on Human Rights on this subject in accordance with his mandate.

12. On a recent visit by field staff to central Bosnia and Herzegovina, the needs of local and international agencies were assessed with respect to their work with victims of rape. City authorities and a psychologist who were interviewed in Tuzla emphasised that local expertise is available to assist victims but that the necessary funds are lacking. Funds are needed not only to pay local experts and support staff, but also to finance the necessary equipment and infrastructure, such as the renovation and adaptation of buildings for use as counselling centres.

13. Regarding the gathering of testimony from rape victims, the Special Rapporteur pointed out in his February report that many women are reluctant to speak about their experiences for a variety of reasons: severe traumatization, feelings of shame, lack of trust, fear of awakening bad memories as well as fear of reprisals against themselves and their families. Repeated interviewing of victims by a number of missions and some media representatives has further decreased their readiness to testify. Some of the women met by the team of experts felt exploited by the media and the many missions "studying" rape in the former Yugoslavia. Furthermore, health care providers are concerned about the effects on women of repeatedly recounting their experiences without adequate psychological and social support systems in place. The danger of subjecting women to additional emotional hardship in the course of interviews is a real one. There have been reports of women attempting suicide after being interviewed by the media and well-meaning delegations.

C. Establishment of an international war crimes tribunal

14. In resolution 1993/8 the Commission on Human Rights reaffirmed that all persons who perpetrate or authorize crimes against humanity and other violations of international law are individually responsible for those violations, and that those in positions of authority who have failed adequately to ensure that persons under their control comply with the relevant international instruments are accountable along with the perpetrators. The resolution also urged States Members of the United Nations to exert every effort to bring to justice, in accordance with internationally recognized principles of due process, all those individuals directly or indirectly involved in these outrageous international crimes.

15. In this regard, the Security Council decided, by resolution 827 (1993), to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace.

16. Rape constitutes an extremely grave violation of international humanitarian law as recognized by article 27 (2) of the Fourth Geneva Convention, article 27 of which states that "Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault", and is defined as a war crime according to article 147 of the same Convention. The definition covers not only rape, but any attack on a woman's honour.

17. The Special Rapporteur concluded in his report to the Commission on Human Rights at its forty-ninth session (para. 62) that rape has been used as an instrument of ethnic cleansing in Bosnia and Herzegovina and in Croatia. Furthermore, the Special Rapporteur has stated that he is not aware of any attempts by those in positions of power, either military or political, to stop the rapes (para. 60). Therefore, in accordance with the Special Rapporteur's recommendation (para. 72), those who committed rape, those who ordered it, or those in positions of authority who failed to prevent it should be held accountable and brought to justice.

D. The Commission of Experts

18. The investigation of cases of systematic rape is one of the major items on the agenda of the Commission of Experts which was established pursuant to Security Council resolution 780 (1992). The Commission is at present analysing the information on systematic rape and forming a team of investigators which may be sent out at a later stage. The results of the Commission's investigations in this field will be reflected in its reports to the Secretary-General of the United Nations.

E. Commission on the Status of Women

19. The Director of the United Nations Division for the Advancement of Women took part in the mission sent by the Special Rapporteur to investigate allegations of the widespread occurrence of rape in January 1993. On

23 March 1993, the Commission on the Status of Women adopted resolution 37/3 on the rape and abuse of women in the former Yugoslavia. Regarding the practical aspects of assisting victims, the Commission:

> "6. Urges all States and all relevant intergovernmental and non-governmental organizations to consider long-term action-oriented plans and programmes and the provision of adequate financial resources for the physical, social and psychological rehabilitation of women and children subjected to rape and other forms of violence, utilizing where possible community self-help groups;
>
> "7. Also urges all States and all relevant intergovernmental and non-governmental organizations to ensure that counselling and other support for women subjected to rape and other types of violence form an integral part of health and welfare services in order to encourage women to avail themselves of such assistance".

F. Committee on the Elimination of Discrimination against Women

20. The Committee on the Elimination of Discrimination against Women has noted with regret the prevalence of mass violence against women and the violation of their fundamental human rights in different parts of the world, especially during civil strife and armed conflict. On 22 January 1993 its Chairperson wrote to the Special Rapporteur to express the Committee's deep concern about the situation of women in the former Yugoslavia.

21. The Committee emphasises that rape and other attacks on women's physical and mental integrity and their security of person violate international human rights guarantees, including the norms stated in the Convention on the Elimination of All Forms of Discrimination against Women. In its general recommendation No. 19 on violence against women, the Committee stated that such violence is a form of discrimination prohibited by the Convention and that such violence breaches the duty to ensure the equal protection of humanitarian norms in time of international or internal armed conflict or civil strife.

22. The Committee further states that rape, other violent acts or attacks on women's dignity constitute grave breaches of the Fourth Geneva Convention and of customary humanitarian law. Measures taken to bring to justice those responsible for grave breaches of humanitarian law must therefore include prosecution of rape as well as other violent acts or attacks on the dignity of women.

G. United Nations Children's Fund

23. Children have been, and are continuing to be, exposed to war trauma directly, as well as through the media and through listening to parent's and other adults' graphic discussions of traumatic events, including rape, in their presence (E/CN.4/1993/50, para. 57).

24. On 25 February 1993, the Executive Director of UNICEF wrote to the Commission on Human Rights to put on record its call not only for an end to

the atrocity of systematic rape as an instrument of war in the present circumstances, but to make certain that it never happens again to women and children in any future conflict.

25. UNICEF renders humanitarian assistance for ensuring the survival, protection and development of women and children in various parts of the former Yugoslavia. The programmes are implemented jointly with counterparts from Government, municipalities, non-governmental organizations and other United Nations and international agencies. Such projects deal with immunization, health, nutrition, water and sanitation, education, projects for women and children who are physically and mentally handicapped as well as with psycho-social development.

26. The objective of UNICEF's Plan of Action for 1993 is to protect children and women affected by the wars in the former Yugoslavia from further deterioration of their health, education and social well-being, in particular, to help health centres, hospitals, water supply units, schools and other social welfare institutions to deliver essential services and reduce the social and economic consequences of the war. These efforts aim to meet the basic needs of displaced and refugee populations. Particular attention will be given to areas of Bosnia and Herzegovina which are besieged or cut off due to conflicts.

27. During 1993, as part of its psycho-social development programme, UNICEF plans to fund training seminars in all areas of the former Yugoslavia to enhance the knowledge of local experts of how to work with traumatized children. This will cover the former Republics of Slovenia, Serbia, Croatia, Macedonia, Bosnia and Herzegovina and Montenegro. The programme will involve the training of teachers, school psychologists and health care workers including those working in refugee centres and host families. For example, in Croatia the target is to train 3,000 teachers, psychologists and volunteers, support public awareness campaigns and extend professional counselling services.

28. In all areas of the former Yugoslavia, UNICEF will provide support for development and production of information materials which aim to reduce the psychological effects of war on children and families. In addition, children at special risk will be identified through screenings and specific therapeutic activities offered to children and parents. Activities to prevent the development of psychological disorders among children will be implemented. In addition, the following specific programmes may be mentioned.

29. In Bosnia and Herzegovina UNICEF has assessed the psycho-social effects of war trauma among children in Sarajevo, Bihac and Banja Luka. The survey revealed that almost all of the children are suffering from nightmares, apathy and aggressive behaviour. Teachers and psychologists in Sarajevo have been trained to identify and to counsel children with signs of psycho-social disturbances. Through close collaboration with Government and other concerned partners, UNICEF will support a systematic expansion of this psycho-social development programme to all areas of Bosnia and Herzegovina.

30. In Croatia, a national programme to address the needs of traumatized children undertaken jointly by the Ministry of Education and UNICEF began in October 1992. The project has two overall objectives:

(a) To reduce the psychological suffering among displaced, refugee and war-affected children; and

(b) To increase awareness in the general population about the psychological after-effects of war on children.

UNICEF will work closely with the Ministry of Education and other concerned partners during 1993, striving to reach about 200,000 directly affected children and 400,000 who are indirectly affected.

31. As part of the project, in November/December 1992 a sample of 5,825 elementary school children from 28 schools in Croatia were screened to assess their exposure to war events and the children's post-traumatic symptomatology. The sample included children from both high- and low-crisis areas as well as displaced and refugee children. The screening indicated that more than 90 per cent of all children had personally experienced the war and a significant minority of children (particularly among the refugees) had themselves witnessed very brutal acts such as people being tortured, wounded or killed. Some children had been personally threatened with death. A number of children had themselves tried to help wounded or dying people, or had carried dead people. The report of the screening points out that children who have been in direct life-danger and/or have witnessed very brutal acts of war need the most care, as they report the highest level of symptomatology. However, it is important to note that a great majority of the children, regardless of which geographical area they come from, report post-traumatic symptoms.

32. In terms of economic and social indicators, the former Yugoslav Republic of Macedonia was the poorest of all the Republics of former Yugoslavia and is now facing severe political and economic difficulties. It is hosting an estimated 30,000 refugees. Many of them, particularly women and children from Bosnia and Herzegovina, have gone through traumatic experiences and are suffering from post-traumatic reactions. Those attending schools are yet to adapt successfully to their new environment and the domestic child population is also severely affected by the situation. A national programme to address the needs of these groups has been formulated by the Ministry of Education. The Ministry of Labour and Social Welfare and the Ministry of Health are also involved. UNICEF has been an active partner throughout the process and will provide financial and technical support during the implementation of the programme.

H. United Nations High Commissioner for Refugees

33. The refugee and displaced person emergency reached crisis proportions in the former Yugoslavia in 1992 and the activities of UNHCR were, of necessity, focused on delivery of relief supplies and the launching of its shelter programme. In 1993, activities outside Bosnia and Herzegovina have moved into the post-emergency phase allowing an expansion of activities in the social services area.

34. UNHCR takes a comprehensive approach to trauma victims in its social services programme in the former Yugoslavia, rather than focusing on rape victims as such. Within this comprehensive approach the aim is primarily to

strengthen local institutions for all trauma victims by training key groups chosen for their potential multiplier effect and by encouraging local implementing partners.

35. UNHCR appointed a consultant as a focal point for women and children from January to April 1993 who organized, inter alia, an inter-agency coordination meeting in Zagreb on psycho-social responses to women victims of war violence. The meeting, held in March 1993, was attended by 21 representatives from local and international NGOs and the Croatian Government. The consultant organized several workshops for UNHCR field staff, promoted and guided women's NGOs and local agencies and produced guidelines on dealing with victims of trauma. The guidelines refer, inter alia, to the women's need for silence, the question of abandoned babies and resettlement issues.

36. UNHCR invites proposals from a wide variety of implementing partners (e.g. international and local NGOs) for projects to address the needs of traumatized victims of war. Although such partners had been slow to present themselves, a number of qualified projects have been identified and sufficient funds received.

37. In Bosnia and Herzegovina the continuing emergency situation means that UNHCR's primary emphasis must remain the provision of food and shelter. In addition, social service project proposals have been particularly scarce for many areas due to the uncertain security situation and the difficulties faced by NGOs in setting up projects in these circumstances are great. The approach of local authorities to victims varies from one municipality to another, thus limiting the trickle-down effect of such projects as have already been established.

38. Marie Stopes International (an agency based in the United Kingdom) is working to establish a network of community-based psycho-social services for women in various areas of Bosnia and Herzegovina. This is a large programme, financed mainly by the European Community but with a contribution from UNHCR. In addition, the Danish Refugee Council, with the support of UNHCR, plans to expand its community-based services in Bosnia and Herzegovina both geographically and qualitatively by increasing the focus on services for women. A further social services project, in cooperation with and funded by UNHCR, is planned by the Danish Refugee Council for Montenegro. Three Danish social workers will be sent to each project to build up social services using local social workers. The projects will work on the basis of community centres for refugees or displaced persons with various activities for vulnerable groups such as women, children and adolescents who have had traumatic experiences. In addition, a programme funded by the Soros foundation and managed by the Jerrahi Women of California is within the social service programme of UNHCR.

39. In the Federal Republic of Yugoslavia, UNHCR has signed an agreement with the local group "Centre for Anti-War Action" for implementation of a pilot project for refugee children living in collective centres in six different regions of Serbia. The project is expanding to include centres in Montenegro and the Sandzak region and consists of social integration and psychological support for refugee children affected by war. Workshops involving different

activities are designed to enable children to use a variety of tools for interpreting and overcoming their war experiences as well as offer them constructive activity during their free time.

40. In its work UNHCR recognizes that refugee women are suffering from trauma inflicted in the past, but also suffer psychological and material hardships in the present, including scarcity of basic necessities, loss of control over their lives and loneliness and anxiety due to separation from husbands and older sons. They report depression, insomnia, nightmares, apathy, emotional numbness, disturbed intra-family relationships and other symptoms. Their condition as refugees or displaced persons is an integral part of the difficulties, especially if living in collective centres where daily tasks such as shopping and cooking have been taken away from them. The poor state of the women's mental health combined with a varying degree of dependence engendered by their displaced or refugee status has a negative impact on their children. UNHCR is therefore encouraging NGOs to establish programmes which would promote women's participation in management of collective centres and otherwise address the women's need for useful and/or lucrative activities. It is intended to reduce the feeling of uselessness as well as to help meet material needs. In order to do so, the children must be able to attend school classes. The aim is to thereby free the women to work and facilitate the monitoring of the children's health in schools while the income generated would improve the lot of the whole family, decrease dependency on international aid and contribute to long-term economic reconstruction.

41. In Croatia and the Federal Republic of Yugoslavia, the deterioration of living conditions in host families and the resultant tension are of great concern. UNHCR is urgently assessing the needs of host families to find ways to increase assistance so as to minimize psycho-social hardship and prevent an exodus of refugees into camps or collective centres.

I. United Nations Educational, Scientific and Cultural Organization

42. The Executive Council of UNESCO, meeting at its 141st session from 10 to 28 May 1993, requested that a study be undertaken on "the use of rape as a weapon of war, its causes and consequences". The study is to be oriented towards the elaboration of a plan, in collaboration with WHO and UNICEF, for the rehabilitation of the women from Bosnia and Herzegovina who were victims of systematic rape and their children.

43. At the same session, the Council also subscribed to a declaration which had been published by the Director General of UNESCO on 13 January 1993. The declaration emphasized that the atrocities committed in Bosnia and Herzegovina are overwhelming, that the acts of savagery are intolerable and that the dignity of all women must be defended.

44. UNESCO has elaborated a plan of humanitarian aid for the education of refugees (SHARE) which involves those directly caring for the child beneficiary. The aid would thus usually include the child's mother or female members of the family (such as older sisters, aunts, grandmothers, etc.). Mental health and social training courses for men and women with an orientation towards the medical, educational or psychological fields are also planned and will be given by specialists in war trauma.

J. World Health Organization

45. WHO has observed with regret that the health effects and consequences of rape and other forms of violence on women, particularly in periods of crisis such as war and civil strife, have often been overlooked. It suggests that the following be considered:

(a) reinforcing and increasing the importance within United Nations peace-keeping efforts of appropriately staffed medical and health teams, including female health and social workers, able to provide immediate health care, counselling and rehabilitation services to victims of rape and other forms of violence, and to strengthen existing services to meet their urgent needs;

(b) long-term, action-oriented plans and programmes, and the provision of adequate financial resources, for assuring the physical, social and psychological rehabilitation of women and children subjected to rape and other forms of violence;

(c) assuring that the victims of violence, including rape, receive appropriate compensation, as is the case for victims of other forms of trauma suffered during wartime; and

(d) assurance of equitable representation of men and women in all bodies or committees responsible for monitoring the implementation of international humanitarian law and international human rights law.

II. INFORMATION RECEIVED REGARDING THE ACTIVITIES OF NON-UNITED NATIONS ACTORS

A. International Committee of the Red Cross

46. ICRC has made numerous public statements denouncing the repeated and grave violations of the Geneva Conventions in the former Yugoslavia. These statements were made necessary by the fact that the parties to the conflicts do not respect any of the recognized rules of the laws of war. The parties have remained deaf to the ICRC appeals for respect for international humanitarian law and they have reneged on their own undertakings. The civilian population has become the pawn in a war fed by an infernal cycle of violence and reprisals.

47. ICRC has repeatedly recalled that the civilian population in Bosnia and Herzegovina continues to suffer all types of violations: summary executions, torture, rape, arbitrary detention, forced transfers, harassment, taking of hostages, expropriation, threats and intimidation. All the violations are equally condemned and completely unacceptable. ICRC points out that these violations are committed by all the parties to the conflicts, even if the degree of intensity varies.

48. ICRC considers rape to be an extremely grave violation of international humanitarian law according to the Fourth Geneva Convention, which the parties to the conflicts in Bosnia and Herzegovina undertook to respect in its

totality on 22 May 1992. It is also clear that the provisions of the Fourth Geneva Convention for the protection of women cover not only rape, but all other attacks on a woman's dignity.

49. ICRC does not possess sufficient elements to confirm the allegation that there is a practice of systematic rape linked to a more global aim, for two main reasons:

(a) The ICRC does not have access to the whole of the territory of Bosnia and Herzegovina and it was not possible for humanitarian bodies to be deployed on the ground between May and July 1992;

(b) Few testimonies have been collected in the ICRC's eight offices in Bosnia and Herzegovina. This is explained by the shock suffered by rape victims and the fear of reprisals which prevents them from giving testimony while in Bosnia and Herzegovina.

50. ICRC has not stopped renewing its calls for the parties to respect international humanitarian law, particularly regarding the prisoners and civilians protected by the Third and Fourth Geneva Conventions. ICRC considers that the present priority is to assure more respect for the whole population of Bosnia and Herzegovina and, in particular, to guarantee its right to humanitarian aid.

B. International Federation of Red Cross and Red Crescent Societies

51. In March 1993 the International Federation of Red Cross and Red Crescent Societies launched an international appeal on behalf of the victims of the conflicts in the former Yugoslavia, highlighting the particular situation of women and children who were victims of rape, abuse and torture. Special emphasis was placed on psycho-social support and rehabilitation needs, in addition to physical and medical relief assistance. Several delegates with relevant specialized training and experience have been deployed since then to obtain more data, respond to immediate needs and outline future short- and long-term priority activities on behalf of these victims, including their physical and mental rehabilitation.

52. On the basis of these missions, a comprehensive psycho-social welfare support programme has been initiated by the Federation which at present has some 95 locally employed social workers and 7 expatriate delegates in Croatia; one delegate each in Slovenia and Macedonia and one delegate in Serbia. The office in Serbia will be expanded to six delegates in the coming months. The Social Welfare Programme covers a variety of social problems, one of the most important being the needs of rape victims, while social and psychological problems presented by all refugees and displaced persons present a huge task.

53. While the Federation concentrates on the most vulnerable victims of rape, torture and displacement, the caseload and level of need at present far exceed its capacity to deal with this problem. The Federation anticipates a significantly increased input into the Social Welfare Programme over the coming months/years, especially in the Federal Republic of Yugoslavia. This is due in part to the consequences of existing sanctions. Such an expansion would depend upon donor response to the Federation's appeal.

54. The Federation will continue to monitor and evaluate the impact of this programme in the former Yugoslavia, as well as liaise with United Nations agencies at the field level in this regard.

III. CONCLUDING REMARKS

55. Violations of human rights and international humanitarian law, including rape, are not likely to end until a just and lasting peace is found to the conflicts in the former Yugoslavia, and particularly until the war raging in Bosnia and Herzegovina is ended. As peace negotiations continue, further rapes must be prevented by conveying to those who perpetrate, order or tolerate rape, that the international community is clearly determined to bring those responsible to justice. The rehabilitation of victims must equally remain high on the international agenda.

56. Rape victims are understandably reluctant to provide testimony. Those agencies and organizations active in this area have suggested that present efforts at coordination leave room for improvement and the initial steps outlined in this report must be built upon. The need for coordination is particularly acute concerning the interviewing of witnesses to, and direct victims of, violations of human rights and international humanitarian law, particularly rape. Female human rights monitors would be essential to obtain first-hand evidence and they should receive special training regarding the conduct of such interviews. In this context, the advice of competent offices and agencies such as UNHCR and the Centre for Human Rights should be sought and followed. The Special Rapporteur recommends that local human rights groups be strengthened and assisted to systematize and coordinate the collection of such data.

57. UNHCR has pointed out that while the emergency situation continues in Bosnia and Herzegovina, UNHCR's primary emphasis must remain the provision of food and shelter. In Bosnia and Herzegovina, it is estimated that 2.2 million people are in dire need of food, medicine and other essential services for their survival. The war continues, living conditions are appalling, security is threatened and the population is struggling merely to survive. The problem of access for humanitarian aid remains acute due to the security situation and the intransigence of the parties. In these circumstances, offers of counselling for trauma victims, who continue to suffer threats to their life and/or material hardship, are problematic in many areas of the country.

58. Due to the conflicts and the break-up of the economy of the former Yugoslavia, all of the former Republics have experienced a dramatic fall in per capita gross national product and in government spending on medical and social services available to both refugee and non-refugee families. International support for the local health services is essential to enable them to meet the needs of trauma victims, including victims of rape.

59. Croatia and the Federal Republic of Yugoslavia host large numbers of refugees from Bosnia and Herzegovina, as well as displaced persons, while the delivery of psycho-social services to such persons is hampered by the fact that the vast majority are in private accommodation rather than collective centres. Initial steps to design social services projects specifically to reach these refugees and displaced persons must be pursued as a matter of priority.

60. The Special Rapporteur has pointed out that women's experience of rape can be intensified by cultural and religious views which often blame the victim. All of the agencies referred to in this report agree that establishing health services that are designed specifically for rape victims would lead to further stigmatization. For this reason, programmes have been created which cater comprehensively for all women and children who have been traumatized by war. These considerations should be taken into account by the international community when awarding aid for specific programmes. As the Special Rapporteur has emphasized, "Women should not be required either to declare or prove that they have been raped in order to qualify for health care or other assistance" (E/CN.4/1993/50, para. 87).

61. Modifying societal beliefs through community education may be helpful in ensuring that the victims of rape can participate fully in family and community life. Public education through dissemination of pamphlets, radio programmes and other mass media is regarded as an important element in collective healing. This activity, which can only be carried out by communities in Bosnia and Herzegovina themselves, should be encouraged and supported.

- - - - -